

ROBERT P. BIEGLER, CA BAR NO. 88506
BIEGLER ORTIS & CHAN
1107 Ninth Street, Suite 1025
Sacramento, CA 95814
Telephone: (916) 444-3971
Facsimile: (916) 444-3975

Attorneys for Plaintiffs
GAYDA AIRTH, PATRICIA MALONE KEANE,
JACK STEVENSON and ANDREW CARELTON

ROBERT A. DOLINKO, CA BAR NO. 076256
CHRISTOPHER D. BAKER, CA BAR NO. 181557
DEBORAH R. SCHWARTZ, CA BAR NO. 2078934
THELEN REID & PRIEST LLP
101 Second Street, Suite 1800
San Francisco, California 94105-3601
Telephone: (415) 371-1200
Facsimile: (415) 371-1211

Attorneys for Defendant
THOMSON FINANCIAL INC.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GAYDA AIRTH,
PATRICIA MALONE KEANE,
JACK STEVENSON,
ANDREW CARELTON,

Plaintiffs,

vs.

THOMPSON FINANCIAL CO., INC., THE
THOMPSON CORPORATION, a
Corporation, and DOES 1-5, inclusive,

Defendants.

Case Nos.: Civ. S-04-2536 DFL GGH

Civ. S-04-2537 DFL GGH

Civ. S-04-2538 DFL GGH

Civ. S-04-2539 DFL GGH

[Consolidated for purposes of discovery only]

**STIPULATION AND ORDER
REGARDING PLAINTIFFS'
SUPPLEMENTAL DISCOVERY
RESPONSES**

Plaintiffs Gayda Airth, Patricia Malone Keane, Jack Stevenson and Andrew Carelton (“Plaintiffs”) and defendant Thomson Financial Inc. (“Defendant”) through their respective attorneys of record, stipulate and ask the Court to order as follows:

RECITALS

On August 23, 2004, Plaintiffs each filed an individual lawsuit against Defendant. Each complaint alleged simply that Defendant failed to pay a portion of each plaintiff’s sales commissions for the years 2000 through 2003.

On February 16, 2005, Defendant served on each plaintiff two identical discovery requests, a First Set of Interrogatories and a First Set of Requests for Production of Documents, which requested information and documents pertaining to (1) Defendant’s compensation plans and policies; (2) sales accounts showing Plaintiffs’ expected, and alleged non-receipt, of commission payments; and (3) Plaintiffs’ breach of contract claims.

On April 8, 2005, Plaintiffs served their responses. Plaintiffs did not object to any of the discovery requests.

In response to Interrogatories Nos. 7 through 10 and 13 through 15, each plaintiff agreed to provide responsive information in supposedly attached “Exhibits.” However, no exhibits were attached.

During the meet and confer process, Plaintiffs agreed to provide supplemental interrogatory responses, which included the “Exhibits” referenced in their initial responses.

To ensure timely production, Defendant filed a motion to compel further responses on June 8, 2005, with a hearing date on July 28, 2005. At the Plaintiffs’ request, the hearing was postponed until August 18, 2005.

In the interim, Plaintiffs’ counsel has been required to be out of the office due to a death in the family and is unable to provide the supplemental responses prior to the August 18, 2005 hearing date.

Plaintiffs still are willing to provide Defendant with complete and accurate supplemental responses to Interrogatories Nos. 7 through 10 and 13 through 15. However, they need additional time to prepare those responses.

STIPULATION

1. The parties hereby agree and stipulate that each plaintiff will serve by facsimile and mail, without objections, complete and accurate supplemental responses to Interrogatories Nos. 7 through 10 and 13 through 15 no later than Friday, August 26, 2005. These supplemental responses will include, among other things, the "Exhibits" referenced in their original interrogatory responses.

2. The parties further agree and stipulate that Defendant will take the motion to compel, currently scheduled for August 18, 2005, off of the Court's calendar.

3. The parties further agree and stipulate that if any of the plaintiffs breach this Stipulation, Plaintiffs will not object to the Court awarding Defendant reasonable sanctions and making any further orders necessary to compel the production of complete and accurate supplemental responses to Interrogatories Nos. 7 through 10 and 13 through 15.

Dated: August 16, 2005

BIEGLER ORTIS & CHAN

By: /s/ Robert P. Biegler
ROBERT P. BIEGLER
Attorneys for Plaintiffs
GAYDA AIRTH, PATRICIA MALONE KEANE,
JACK STEVENSON and ANDREW CARELTON

Dated: August 16, 2005

THELEN REID & PRIEST LLP

By: /s/ Christopher D. Baker
ROBERT A. DOLINKO
CHRISTOPHER D. BAKER
DEBORAH R. SCHWARTZ
Attorneys for Defendant
THOMSON FINANCIAL INC.

ORDER

It is ordered that each plaintiff will serve by facsimile and mail, without objections, complete and accurate supplemental responses to Interrogatories Nos. 7 through 10 and 13 through 15 no later than Friday, August 26, 2005. Those supplemental responses will include, among other things, the “Exhibits” referenced in their original interrogatory responses.

If any of the plaintiffs breach this Order, the Court will award Defendant reasonable sanctions and will make any further orders necessary to compel production of complete and accurate supplemental responses to the disputed interrogatories.

Dated: 8/22/05

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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